GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Initiation of Departmental action Under Rule 20 of APCS (CC&A) Rules, 1991 on the allegation of corruption and also disappearance of case diary files against **Sri Veeragandham Rajendra Prasad, Additional Public Prosecutor Gr.I,** formerly at IV ADJ Court, Guntur presently working at Addl. Sessions Court, Kurnool – Articles of Charges – Issued.

HOME (SC.B) DEPARTMENT

G.O.RT.No. 828 **Dated: 16-11-2016**

-0-0-0-

It is proposed to hold an enquiry against Sri Veeragandham Rajendra Prasad, Additional Public Prosecutor Gr.I, formerly at IV ADJ Court, Guntur presently working at I Addl. Sessions Court, Kurnool in accordance with the procedure laid down in Rule 20 of the A.P.C.S. (CC&A) Rules, 1991 on the allegation of corruption and also disappearance of case diary files.

2. The Substance of the imputations of misconduct in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I to IV). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed. Other witnesses and documents, if any cited will also be examined, if necessary in addition to the witnesses and documents already cited.

3. Sri Veeragandham Rajendra Prasad, Additional Public Prosecutor Gr.I, formerly at IV ADJ Court, Guntur presently working at I Addl. Sessions Court, Kurnool , is directed to appear before the disciplinary authority and submit a written statement of his defence within 15 days from the date of receipt of this order.

4. Sri Veeragandham Rajendra Prasad, Additional Public Prosecutor Gr.I, formerly at IV ADJ Court, Guntur, presently working at I Addl. Sessions Court, Kurnool, is informed that an inquiry will be held only in respect of those articles of charges which are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Veeragandham Rajendra Prasad, Additional Public Prosecutor Gr.I, is further informed that if he does not submit his written statement of defence on or before the date specified in para (3) above, further action will be processed based on the material made available.

6. Therefore, the attention of Sri Veeragandham Rajendra Prasad, Additional Public Prosecutor Gr.I. is invited to Rule 24 of the A.P.C.S. (Conduct) Rules, 1964, under which, no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of the matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri Veeragandham Rajendra Prasad, Additional Public Prosecutor Gr.I, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The Joint Director and Additional Director of Prosecutions is requested to serve the orders on the Accused Officer and take the acknowledgment.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.S.S.V. DURGA PRASAD
SECRETARY TO GOVERNMENT (LAW)

To

Sri Veeragandham Rajendra Prasad, Additional Public Prosecutor Gr.I, formerly at IV ADJ Court, Guntur presently working at Addl. Sessions Court, Kurnool . (**through** the Joint Director and Addl. Director of Prosecutions (FAC), Vijayawada)

Copy to:

The Joint Director and Addl. Director of Prosecutions (FAC), Vijayawada.

(He is requested to cause its service on Sri Veeragandham Rajendra Prasad, Additional Public Prosecutor Gr.I, formerly at IV ADJ Court, Guntur presently working at Addl. Sessions Court, Kurnool and obtain his dated acknowledgement on duplicate copy and return it to Govt. immediately)

Enls: (Article of Charges – Annexure-I to IV)

SF/ SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)

ANNEXURE - I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI VEERAGANDHAM RAJENDRA PRASAD S/O VENKATESWARLU, 49 YEARS, ADDL. PUBLIC PROSECUTOR GR.-I/SPL. PUBLIC PROSECUTOR IN THE SPECIAL COURT FOR SC & ST-CUM-IV ADJ COURT, GUNTUR.

That Sri Veeragandham Rajendra Prasad s/o Venkateswarlu, 49 yrs, has joined Government Service on 25-06-1998 as Asst. Public Prosecutor at JFCM Court, Giddaluru, Prakasam District and worked from 25-6-1998 to 7-7-2005. Later he was transferred to various places and worked in the same capacity such as from 8-7-2005 to 11-1-2007 at VII JFCM Court, Guntur and from 11-1-2007 to 7-8-2007 at JMFC Court, Ponnur, Guntur District. Subsequently he was appointed as Addl. Public Prosecutor Gr.-II through Direct Recruitment vide GO.MS.No.42, Law (LA & Home-Courts.A2) Dept., dated 20-4-2007 and worked in the Prl. Asst. Sessions Court, Narasaraopeta, Guntur district from 22-11-2007 to 3-1-2012. Later he was promoted as Addl. Public Prosecutor Gr.-I on 30-12-2011 and worked at I Addl. District & Sessions Court, Rajahmundry, EG District from 4-1-2012 to 15-5-2014. Thereafter, he was transferred and posted as Addl. Public Prosecutor Gr.-I/Spl. Public Prosecutor, Spl. Court for SC & ST (POA) Act, 1989-cum-IV ADJ Court, Guntur and worked there from 19-5-2014 to 19-11-2014. He is referred to as Govt. Servant.

While working in the said capacity between 19-5-2014 and 19-11-2014 (date of trap), he committed grave misconduct in much as, (1) on 19-11-2014 he had demanded and accepted bribe of Rs.10,000/- from Sri Deepala Narasimha Rao to do favour during arguments in the PT cases which were pending against him and his parents and made to believe that if demanded bribe is not given, he will get conviction to Sri Deepala Narasimha Rao and his parents, though the case was not strong against them and (2) he caused disappearance of the case diary and files pertaining to SC Nos.13/S/11 & 34/S/11 with an intention that those files will give information of his hand writings.

Thus the Govt. Servant Sri Veeragandham Rajendra Prasad by his above mentioned acts has exhibited lack of integrity, devotion to duty, conduct un-becoming of a Government Servant and thereby violated Rule 3(1) (2) of APCS (Conduct) Rules, 1964.

C.S.S.V. DURGA PRASAD
SECRETARY TO GOVERNMENT (LAW)

SECTION OFFICER(FAC)

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ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OF MISBEHAVOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI VEERAGANDHAM RAJENDRA PRASAD S/O VENKATESWARLU, 49 YEARS, ADDL. PUBLIC PROSECUTOR GR.-I/SPL. PUBLIC PROSECUTOR IN SPECIAL COURT FOR SC & ST-CUM-IV ADJ COURT, GUNTUR.

That Sri Veeragandham Rajendra Prasad s/o. Venkateswarlu, 49 yrs, Addl. Public Prosecutor Gr.-I/Spl. Public Prosecutor, Spl. Court for SC & ST-cum-IV ADJ Court, Guntur is a native of Koppolu Post, Ongole Mandal, Prakasam District. His date of birth is 16.06.1965. He joined Government Service on 25-06-1998 as Asst. Public Prosecutor at JFCM Court, Giddaluru, Prakasam District and worked from 25-6-1998 to 7-7-2005. Later he was transferred to various places and worked in the same capacity from 8-7-2005 to 11-1-2007 at VII JFCM Court, Guntur and from 11-1-2007 to 7-8-2007 at JMFC Court, Ponnur, Guntur District. Subsequently appointed as Addl. Public Prosecutor Gr.-II through Direct Recruitment vide GO.MS.No.42, Law (LA & Home-Courts.A2) Dept., dated 20-4-2007 and worked in the Prl. Asst. Sessions Court, Narasaraopeta, Guntur district from 22-11-2007 to 3-1-2012. Later, he was promoted as Addl. Public Prosecutor Gr.-I on 30-12-2011 and worked at I Addl. District & Sessions Court, Rajahmundry, EG District from 4-1-2012 to 15-5-2014. His basic pay is Rs.29,900/- and Scale pay is Rs.25,600/- – Rs.50,560/-. His date of attaining superannuation is 30.06.2025. He is hereinafter referred as Government Servant (G.S).

FACTS AND EVIDENCES:

Brief facts of the case are that on 17-11-2014 at 11.00 hrs Sri Deepala Narasimha Rao s/o Kotaiah, r/o. Venkataayapalem Village, Bellamkonda Mandal, Guntur District preferred a report against the Government Servant before the DSP, ACB, Guntur stating that the GS demanded an amount of Rs.10,000/- as bribe to do official favour to him and his parents during arguments in PT cases pending against him and his parents and made to believe that if Sri Deepala Narasimha Rao does not pay the demanded bribe, he will get conviction to him and his parents.

After observing procedural formalities, the DSP, ACB, Guntur registered the report, as a case in Cr.No.14/RCT-ACB-GNT/2014 U/s 7 of P.C. Act, 1988 on 19-11-2014 at 16.30 hrs and made necessary arrangements for laying a trap against the G.S.

On 19-11-2014 from 17.00 hours to 19.00 hours, the DSP, ACB conducted pre-trap proceedings in his office in the presence of two respectable mediators.

Thereafter on the same day i.e. on 19-11-2014 at about 20.10 hrs, the Government Servant was trapped in the ground of NTR Municipal Stadium, Brundavan Gardens Centre, when he further demanded and accepted bribe amount of Rs.10,000/- from Sri Deepala Narasimha Rao and kept the same in his left side pocket of his pant. Phenolphthalein test proved positive on the both hands fingers of GS and the tainted bribe amount of Rs.10,000/- was seized at the instance of G.S from his left side pant pocket . The inner linings of the lower's (pant) pocket of the Government Servant that came into contact with the tainted bribe amount also yielded positive result in Phenolphthalein test.

Rough sketch of the exact scene of offence was also got prepared by the DSP.

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When the Government Servant was examined with regard to the CD files vide SC Nos.13/S/11 & 34/S/11 pertaining to Sri Deepala Narasimha Rao and his parents cases i.e. official favor files, he informed that he did not maintain any files; as from one Ali, who is an outsourcing employee maintaining the files and the key of his office room was also available with him. During the course of further investigation, the Investigation Officer examined the said Ali and concerned constables about the custody of the CD files and recorded their statements. They stated that the CD files are in the custody of GS only. The investigation officer obtained the CA copies in SC of files 13/S/11 & 34/S/11 from the Hon'ble SC & ST Court, Guntur, and attested copies of the monthly statements submitted by the GS to the Director of Prosecution. That shows that the GS had conducted trial of the said both cases to some extent and made disappeared the said files which would give information about his handwritings available on the CD files.

Concerned documents and other material objects were seized.

During the course of investigation, the case property and all the records seized during the trap proceedings were submitted to the Hon'ble Special Judge for SPE & ACB cases, Vijayawada on 20-11-2014 under acknowledgement.

The oral and documentary evidence collected during the course of investigation it is established that (1) on 19-11-2014 at 20.10 hrs, the GS demanded and accepted a bribe of Rs.10,000/- from Sri Deepala Narasimha Rao, to do favour during arguments in the PT cases pending against him and his parents by made believing the complainant that if he does not pay the demanded bribe, he would get conviction to Sri Deepala Narasimha Rao and his parents even-though the case is not much strong and (2) he made disappeared the case diary files pertaining to SC Nos.13/S/11 & 34/S/11 with an intention that those files will give information of his hand writings.

Thus the Govt. Servant Sri Veeragandham Rajendra Prasad, by his above mentioned act exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) & (2) of APCS (Conduct) Rules, 1964. The G.S has therefore rendered himself liable for regular departmental action for major penalty.

C.S.S.V. DURGA PRASAD
SECRETARY TO GOVERNMENT (LAW)

SECTION OFFICER(FAC)

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ANNEXURE-III

LIST OF WITNESSES BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI VEERAGANDHAM RAJENDRA PRASAD S/O. VENKATESWARLU, 49 YEARS, ADDL. PUBLIC PROSECUTOR GR.-I/SPL. PUBLIC PROSECUTOR IN SPECIAL COURT FOR SC & ST-CUM-IV ADJ COURT, GUNTUR

1. Sri Deepala Narasimha Rao S/o. Kotaiah, aged 25 years, agriculturist, r/o. Venkataayapalem village, Bellamkonda mandal, Guntur dist.

2. Sri Shaik Babu S/o. Meersa, 55 yrs, Security Guard cum Watchman of NTR Municipal Stadium, Guntur, R/o. 6th lane, Cobaltpeta, Guntur Town.

3. Sri Lingisetty Raja Rao S/o. Veeraiah (late), aged 65 yrs, Watchman in NTR Municipal Stadium, Brindavan Gardens, Guntur, R/o. 5th lane, R. Agraharam, Guntur.

4. Sri Vipparla Venkat S/o. Vipparla Madelu, 24 yrs, Receptionist, .NTR Municipal Stadium, Brundavan Gardens, Guntur, R/o. Swarna Bharathi Nagar, 1st line, Guntur.

5. Sri Meer Mahaboob Ali S/o. Meer Anwar Ali, 26 yrs, HG-378, Guntur urban District, R/o. D.No:-7-6-351/A, Rajeev Gandhi Nagar, Main Road, Guntur.

6. Sri Yedluri Rambabu S/o. Aseervadam, age 30 yrs, PC: 3424 of Bellamkonda P.S., Guntur District.

7. Sri Mannam Murali S/o. Mohana Rao, 30 yrs, SI of Police, Bellamkonda P.S., Piduguralla (R) Circle, Sattenapalli Sub-Division, Guntur District.

8. Dr. B.Suneetha, Civil Assistant Surgeon, Casualty Medical Officer, GGH, Guntur.

9. Sri Sundarasetty Subrahmanyam S/o Rama Devi, aged 34 yrs, Asst. Executive Engineer, R & B Dept., Chilakaluripet Section, Guntur District R/o D.No.12-43, Addankamma temple road, Parchuru (V) & (M), Prakasam District.

10. Sri Devulapalli Venkata Durga Prasad S/o Venkata Ramana Murthy, aged 42 yrs, Sr. Asst. O/o Dy. Executive Engineer, R & B Dept., Venukonda R/o. D.No.12-8-5/5, Prakash Nagar, Narasaraopet, Guntur District.

11. Sri M.Raja Rao, formerly Dy. Supdt. of Police, Anti-Corruption Bureau, Guntur District.

12. Sri T.Narasimha Reddy, District Inspector, Anti-Corruption Bureau, Guntur.

C.S.S.V. DURGA PRASAD
SECRETARY TO GOVERNMENT (LAW)

SECTION OFFICER(FAC)

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ANNEXURE - IV

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI VEERAGANDHAM RAJENDRA PRASAD S/O. VENKATESWARLU, 49 YEARS, ADDL. PUBLIC PROSECUTOR GR.-I/SPL. PUBLIC PROSECUTOR IN THE SPECIAL COURT FOR SC & ST-CUM-IV ADJ COURT, GUNTUR

1. Report, dt.17-11-2014 given by Sri Deepala Narasimha Rao S/o Kotaiah, aged 25 yrs, Venkatayapalem village, Bellamkonda Mandal, Guntur District.

2. FIR in Cr.No.14/RCT-ACB-GNT/2014, dt.19-11-2014 of ACB, Guntur.

3. Mediators' Report-I drafted in the office room of Dy. Supdt. of Police, ACB, Guntur, situated at Brundavan Gardens, Guntur on 19-11-2014, between from 17.00 hours to 19.00 hours.

4. Mediator's Report-II drafted in the office room situated in the auditorium(building) of Sri Nandamuri Taraka Rama Rao Paryavarana Parirakshak Kreeda Pranganam (NTR Stadium) Brindavan gardens centre, Guntur on 19-11-2014 from 20.45 hours to 02.30 hours on 20-11-2014.

5. Made up file: Written explanation of the A.O, dt.:19.11.2014.

6. CA copies of SC No.13/S/11 case (Cr.No.52/10 of Bellamkonda PS). Total 50 sheets.

7. CA copies of SC No.34/S/11 case (private compliant case):- Total 28 sheets.

8. Attested Copies of Monthly statements of the A.O submitted to the DOP, for the months of May, 2014 to October, 2014 and transfer order of the AO appointing him as Special PP for the Special Court for SC & ST (POA) Cases-cum-IV Addl. District & Sessions, Guntur as Addl. Public Prosecutor, Grade-I.

9. Explanation of the AO, dt: 28-01-2015.

10. Reply of the AO, dt: 16-02-2015.

11. Reply of the AO, dt: 04-03-2015.

12. Reply of the AO, dt: 13-03-2015.

13. Sec.164 Criminal Procedure Code statement of the complainant

14. Wound certificate of Government Servant

C.S.S.V. DURGA PRASAD
SECRETARY TO GOVERNMENT (LAW)

SECTION OFFICER(FAC)

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